

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

P. HARBORTH et al.

Serial No.: 10/551,332

Group Art Unit: not yet assigned

Filed: September 29, 2005

Examiner: not yet assigned

For: BIOFILTER SYSTEM AND METHOD FOR PURIFYING GASES  
ESCAPING FROM A GULLY HOLE

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

**STATEMENT OF LACK OF DECEPTIVE INTENT BY OMITTED  
INVENTOR FOR CORRECTING INVENTORSHIP  
UNDER 37 C.F.R. 1.48(a)**

Dear Sir:

I, Peter Harborth, make the following declaration:

1. I am an inventor of the claimed invention in the above-identified application and seek to be added as a joint inventor

As best understood by me I was named as an "applicant" in the PCT application PCT/DE2004/000430 from which this national stage filing was made (see attached cover page) but was mistakenly not identified as an inventor for purposes of the US only in the PCT application. As evidence of my inventorship, declarations of my joint-inventors accompany this document. As further evidence of my inventorship, I have attached hereto a copy of a German declaration of inventorship document which was filed with the German priority application.

2. The error in not properly identifying me as a inventor at the time this application was filed and not properly identifying me as both an Applicant and an inventor purposes of the US only in the PCT application was made without any deceptive intent.

3. I hereby declare that all statements made herein of my own knowledge are true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001, Stat. 18 U.S.C. § 1001.

and that such willful false statements may jeopardize the validity of this  
Application or any patent issued thereon.

Date: 09.01.2007

Signed: Peter Harborth

Peter Harborth

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B01D 53/84,

(72) Inventors; and

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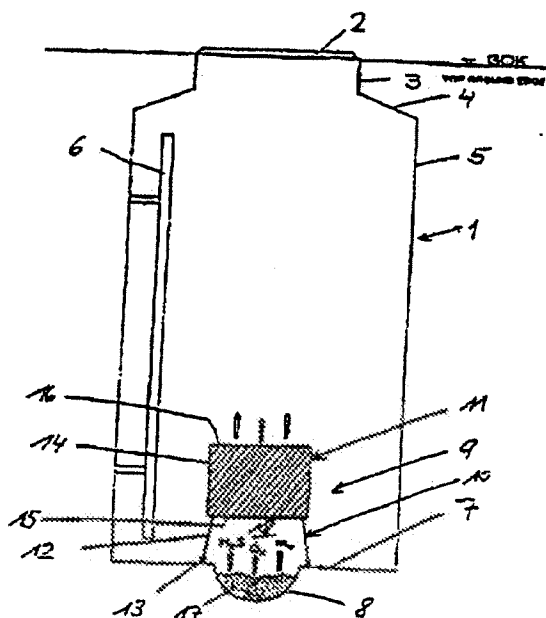
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[continued on next page]

As printed

(54) Title: BIOFILTER SYSTEM AND METHOD FOR PURIFYING GASES ESCAPING FROM A GULLY HOLE

(54) Bezeichnung: BIOFILTERANORDNUNG UND VERFAHREN ZUR REINIGUNG VON AUS EINEM KANALSCHACHT ENTWEICHENDEN GASSEN



(57) Abstract: The invention relates to a method for purifying gases escaping from a gully hole (1), particularly escaping from a sewer (8) guided at the bottom (7) of the gully hole (1) by means of a biofilter that is arranged inside the gully hole (1) in such a manner that the gases flow through it before they leave the gully hole (1). The biofilter is mounted at such a distance to the sewer (8) that its temperature and moisture are substantially influenced by the waste water (17) present in the sewer (8).

(57) Zusammenfassung: Zur Reinigung von aus einem Kanalschacht (1) entweichenden Gasen, die aus einer im Boden (7) des Kanalschachtes (1) geführten Abwasserleitung (8) austreten, mittels eines Biofilters, der im Kanalschacht (1) so angeordnet wird, dass die Gase durch ihn hindurchströmen, bevor sie aus dem Kanalschacht (1) herausgelangen wird der Biofilter in einer solchen Nähe zur Abwasserleitung (8) angeordnet, dass seine Temperatur und Feuchtigkeit wesentlich von dem in der Abwasserleitung (8) befindlichen Abwasser (17) beeinflusst werden.

WO 2004/087302 A1

# Erfinderbenennung – Declaration of Inventorship

Der (Die) Anmelder(in): (Name und Anschrift wie im Erteilungsantrag) The applicant(s) (name and address as on application form)	Dipl.-Biol. Dr. Peter Harborth, Unterdorf 26, 38104 Braunschweig
der Erfindung: (Bezeichnung wie im Erteilungsantrag) of the invention: (title as on application form)	Verfahren zur Reinigung von aus einem Kanalschacht entweichenden Gasen und hierzu geeignete Abwasser-Biofilter-Anordnung sowie Kanalschacht
Ämtliches Aktenzeichen: (wenn bereits bekannt) official filing number: (if already known)	103 14 748.9

benennt (benennen) als Erfinder: (Vor- und Zuname, Anschrift, bei Frauen auch Geburtsname)

declare(s) as inventor(s): (First names, surnames, address, and maiden name of married women)

- 1) Dr. Peter Harborth, Unterdorf 26, 38104 Braunschweig
- 2) Prof. Dr. Helmut Hanert, Memeler Straße 9, 38126 Braunschweig
- 3) cand. biotechnol. Matthias Nieber, Knickstr. 27a, 39245 Gommern

Es wird versichert, daß meines (unseres) Wissens weitere Personen an der Erfindung nicht beteiligt sind.

I/We state that to my/our knowledge no other persons have participated in the making of the invention.

Das Recht auf das Patent ist auf den (die) Anmelder(in) aus dem unten genannten Grund übergegangen:

The right to apply for the patent has passed to the applicant(s):

☐ Der (die) Erfinder ist (sind) Arbeitnehmer der (des) Anmelderin (Anmelders)  
The inventor(s) is (are) an employee(s) of the applicant(s).

☒ durch / by virtue of mündliche Vereinbarung vom / dated 28.03.2003  
(z. B. Vertrag, mündliche Vereinbarung) / (e. g. assignment, verbal agreement)

☐ Erfinder ist (sind) der (die) Anmelder  
The inventor(s) is (are) the applicant(s).

☐

Dr. Peter Harborth

Braunschweig, den 16. April 2003

Dr. Peter Harborth

Ort/Place; Datum/Date

(Unterschrift des Anmelders, der Anmelder(in) oder des Vertreters; bei natürlichen Personen: Namen und Vornamen voll ausschreiben, bei Firmen genügt, eingetragene Firmenbezeichnung angeben; Beglaubigung nicht erforderlich).

(Signature of the applicant(s) or representative; first names and surnames of individual persons are to written in full, corporate bodies are to sign in the form in which they are registered; no legalization required)

## Antrag des Erfinders auf Nichtnennung – Request of the Inventor not to have his name published

(Nur ausfüllen, wenn der (die) Erfinder öffentlich nicht bekanntgegeben werden will (wollen))

(To be completed only if the name(s) of the inventor(s) is/are not to be published)

Ich/Wir beantrage(n) hiermit, öffentlich nicht als Erfinder bekanntgegeben zu werden und keine Akteneinsicht in obige Erfinderbenennung zu gewähren.\*

I/we hereby request not to have my/our name(s) published as inventor(s) and not to permit inspection of the above declaration of inventorship.\*

Ort/Place; Datum/Date

(Eigehändige Unterschrift des Erfinders oder der Erfinder mit voll ausgeschriebenen Vor- und Zunamen; keine Beglaubigung erforderlich)

(Personal signature of the inventor(s) with first names and surnames in full; no legalization required)

\* Der Antrag kann jederzeit widerrufen werden. Der Verzicht des Erfinders auf Nennung ist ohne rechtliche Wirksamkeit.

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**WRITTEN CONSENT OF ORIGINALLY-NAMED INVENTOR TO  
CORRECT INVENTORSHIP UNDER 37 C.F.R. 1.48(a)**

Dear Sir:

I, Helmut Hanert, make the following declaration:

1. I am an inventor and was originally named as an applicant (for purposes of the United States) and an inventor for the application indicated above.
2. Peter Harborth is also an inventor of the claimed subject matter, together with Matthias Nieber. This error in inventorship identified in the application as originally filed occurred without deceptive intent.
3. I hereby consent to the correction of inventorship for the above-referenced application, by adding Peter Harboth as an applicant (for the purposes of the United States) and as an inventor.
4. I hereby declare that all statements made herein of my own knowledge are true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this Application or any patent issued thereon.

Date:

January, 9<sup>th</sup> 2007

Signed:

Dr. Helmut Hanert, Prof  
Helmut Hanert

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**WRITTEN CONSENT OF ORIGINALLY-NAMED INVENTOR TO  
CORRECT INVENTORSHIP UNDER 37 C.F.R. 1.48(a)**

Dear Sir:

I, Mathias Nieber, make the following declaration:

1. I am an inventor and was originally named as an applicant (for purposes of the United States) and an inventor for the application indicated above.
2. Peter Harborth is also an inventor of the claimed subject matter, together with Helmut Hanert. This error in inventorship identified in the application as originally filed occurred without deceptive intent.
3. I hereby consent to the correction of inventorship for the above-referenced application, by adding Peter Harboth as an applicant (for the purposes of the United States) and as an inventor.
4. I hereby declare that all statements made herein of my own knowledge are true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this Application or any patent issued thereon.

Date: 15.04.07

Signed: 

Matthias Nieber